

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

2/7/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR03-00495DAE
CR06-00066DAE

CASE NAME: USA v. (06) Albert Powell, III
USA v. Albert Powell, III

ATTYS FOR PLA: Chris Thomas

ATTYS FOR DEFT: (06) Suzanne Terada

INTERPRETER:

JUDGE: Kevin S. C. Chang

REPORTER: FTR C5

DATE: 2/7/2006

TIME: 9:38-10:00:38am

COURT ACTION: EP:

1. Motion For Withdrawal of Not Guilty Plea and to Plead Anew as to CR03-00495DAE
2. Waiver of Indictment and Arraignment and Plea of Guilty to the Felony Information as to CR06-00066DAE

Defendant present, not in custody

Government's request to consolidate both cases for purposes of this hearing is granted.

Motion For Withdrawal of Not Guilty Plea and to Plead Anew as to CR03-00495DAE:
Defendant sworn, questioned by the Court. Consent to Rule 11 Plea In a Felony Case Before United States Magistrate signatures verified and filed. Memorandum of Plea Agreement signatures verified and filed. Court informs Defendant of sentencing guidelines, possible departure from sentencing guidelines, supervised release, etc.

Plea of Guilty as to Count 9 of the Indictment entered by the Defendant. Government agrees to dismiss Counts 1 and 2 of the Indictment as to defendant 06. R&R signed, with 10 days to object. Pre-Sentence report ordered from USPO.

The following dates are hereby vacated as to defendant 06:

Jury Trial, 7/25/06, 9:00am, Judge Ezra

Defendant Albert Powell, III's Motion In Limine, 7/25/06, 9:00am, Judge Ezra. Ms. Terada will file a withdrawal as to this motion.

Waiver of Indictment and Arraignment and Plea of Guilty to the Felony Information as to CR06-00066DAE

Defendant sworn, questioned by the Court. Consent to Rule 11 Plea In a Felony Case Before United States Magistrate signatures verified and filed. Waiver of Indictment signatures verified and filed. Memorandum of Plea Agreement signatures verified and filed. Court informs Defendant of sentencing guidelines, possible departure from sentencing guidelines, supervised release, etc.

Plea of Guilty as to Count 1 of the Felony Information entered by the Defendant. R&R signed, with 10 days to object. Pre-Sentence report ordered from USPO.

SENTENCING as to Count 9 of the Indictment as to CR03-00495DAE and Sentencing as to Count 1 of the Felony Information as to CR06-00066DAE set for 8/14/06 at 2:15 p.m. before Judge Ezra.

Defendant's current conditions of release to continue.

Submitted by: Shari Afuso, Courtroom Manager